



State of Utah

Department of
Environmental Quality

Richard W. Sprott.
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Joe Piccolo, *Chair*
Paula Doughty, *Vice-Chair*
David F. Echols
Darrell H. Mensel
LeLand J. Myers
Richard W. Sprott
Jay Ivan Olsen
Gregory L. Rowley
Steven P. Simpson
Merritt K. Frey
Daniel C. Snarr
Walter L. Baker,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

MINUTES

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

UTAH WATER QUALITY BOARD

168 North 1950 West Room 101

Salt Lake City, Utah 84116

Friday, January 18, 2008

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Paula Doughty	Jay Olsen
Leland Myers	Steve Simpson
Darrell Mensel	Joe Piccolo
Gregory Rowley	Dave Echols
Daniel Snarr	

CONFERENCE CALLED IN: Richard Sprott

ABSENT: Merritt Frey

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, Ed Macauley, Lisa Nelson, Emily Canton, Dorrie Panayotou,
Jeff Ostermiller, Matt Garn, John Kennington, Carl Adams, Mike Reichert

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Laura Lockhart	Attorney General's office
Fred Nelson	Attorney General's office
Richard Heap	SUVMWA
John Ward	SUVMWA
Larry Skinner	SUVMWA
David Packet	SUVMWA
Brad Rasmussen	Aqua Engineering
Stanley Green	SUVMWA
Bruce Ward	SUVMWA
Boyd Davis	West Point City
Steve Anderson	Gardner Engineering
Johnathan Ward	Zions Bank

Chair Piccolo called the Board meeting to order at 10:10 a.m.. He welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE NOVEMBER 16, 2007 MEETING

Ms. Doughty noted two minor changes needed to be corrected. On page 2, under the Executive Secretary's Report, the date read January 16, 2008, should read January 18, 2008. Also, under the SRF Introduction for SUVMWA, the last sentence should read Mr. Olsen "asked" that the (inserting the word asked).

Motion: **It was moved by Ms. Doughty and seconded by Mr. Olsen to approve the minutes of the November 16, 2007 Board meeting with the noted corrections. The motion was unanimously approved.**

Executive Secretary's Report: Mr. Baker updated the Board of issues in the division. Jodi Gardberg will be the lead person over the Great Salt Lake issues. Ying-Ying Macauley has left to work for the Division of Drinking Water. The Dept of Natural Resources is interested in partnering to develop a Great Salt Lake Commission by 2010 and in pursuing legislation. Nutrient Removal continues to be a national concern and states have requested that EPA step up and take the leadership on phosphorous and nutrient issues. DEQ's appropriations sub-committee has asked about the PCB in Utah. A health advisory has been issued on Utah Lake for PCBs in two fish species.

Recognition Award for Harry Judd: Mayor Piccolo presented a clock to Harry Judd on behalf of the Water Quality Board in recognition for the years of service he's given to the State of Utah.

RULEMAKING

Request to adopt changes to R317-1, R317-3, R317-13 and R317-14 Wastewater Reuse Requirements and Effluent Disposal: Mr. Kennington told the Board that no comments were received during the public comment period and asked the Board to approve the requested revisions to *R317-1-4, R317-3-11, R317-13 and R317-14*.

Motion: **It was moved by Mr. Myers to approve staff's request to incorporate the proposed changes to *R317-1-4, R317-3-11, R317-13 and R317-14*. The motion was seconded by Mr. Echols and was unanimously approved.**

Request to Repeal *R305-3 Emergency Meeting*: Ms. Lockhart from the Attorney General's Office explained that the governing statutory or regulatory citation in Section 63-46a-9 of the Administrative Procedures Act requires each state agency to review its administrative rules every five years. Subsection 52-4-202(5) establishes the requirements regarding emergency meeting of a public body (Board). The Board is being asked to repeal *R305-3 Emergency Meeting*. Because this is a department-wide rule, the other environmental program boards of DEQ are also taking similar action. The Board will continue to follow the statutory requirements regarding emergency meetings under the Open and Public Meeting Act.

Motion: **It was moved by Mr. Myers to repeal *R305-3 Emergency Meeting* per request. The motion was seconded by Mr. Simpson and was unanimously approved.**

LOAN PROGRAM

Financial Assistance Status Report – Ms. Canton updated the Board on the "Summary of Assistance Program Funds," as outlined on page 3.1.

2007 Annual Report: - Ms. Canton distributed to the Water Quality Board copies of the 2007 Annual Report explaining the funds that were acquired and distributed through various loan programs.

SRF introduction for South Utah Valley Municipal Water Association (SUVMWA): Ms. Nelson introduced Bruce Ward, John Ward, Wayne Anderson, Larry Skinner and Richard Heap from SUVMWA and Brad Rasmussen with Aqua Engineering and Johnathan Ward with Zions Bank. David Packet gave a power point presentation to the Board explaining the scope of the project. SUVMWA is requesting financial assistance in the amount of a \$5,000,000 loan at an interest rate of 2.4% repayable over 10 years. A new regional treatment plant will be necessary to meet the needs of the growing populations of the affected entities that comprise the Association as well as to meet any future effluent requirements. This loan is for the next phase in project development, which is to purchase approximately 240 acres of land where the new regional wastewater facility will be sited. This is one step in an extensive pro-active approach to meet the future wastewater disposal needs of the South Valley County Municipalities. The loan amount includes \$225,000 for a Non-Point Source pollution control project to be identified at a later date. Following an extensive discussion, where the Board explained its concerns about what funds are still available in the loan program, the motion was made to postpone making a decision on SUVMWA's request until after the upcoming Water Quality Board work meeting in February.

Motion: **It was moved by Mr. Myers to postpone taking action on SUVMWA's request until after the work meeting in February. The motion was seconded by Mr. Olsen and was approved; with Mayor Snarr opposing**

West Point City Planning Advance authorization: Ms. Nelson introduced Boyd Davis from West Point City and Steve Anderson with Gardner Engineering. West Point City is requesting a Hardship Planning Advance in the amount of \$60,000 to develop a facility plan for a wastewater collection system including a multi-phase approach to locating and constructing several pump stations to accommodate the recent growth and annexations to the city. Staff recommends that the Board authorize this planning advance which is anticipated to lead to a construction project.

Motion: **It was moved by Ms. Doughty to approve staff's request to advance West Point City \$60,000. The motion was seconded by Mr. Simpson and was approved. Mr. Myers and Mr. Olsen opposed the motion.**

OTHER BUSINESS:

Recommendation for Appointments to the Wastewater Operator Certification Council: Mr. Macauley explained to the Board that as of January 1, 2008, the terms of service for two members of the Wastewater Operator Certification Council have expired. Recommendations to fill these vacancies were solicited. Resulting from the recommendations submitted by these entities, it was recommend that Dr. James Callison be reappointed to fill the vacancy representing vocational training and Dr. Brett Borup appointed to represent a civil or environmental engineering faculty member of a university in Utah. These terms would begin immediately.

Motion: **It was moved by Mr. Mensel to approve staff's recommended appointments of Dr. James Callison and Dr. Brett Borup to the Wastewater Operator Certification Council. The motion was seconded by Ms. Doughty and was unanimously approved.**

Biological Assessment Listing Methodology and Results: Mr. Ostermiller and Ms. Panayotou presented to the board an overview of the biological assessment model and the methodology used for making biological assessments for the *2008 Integrated Report*.

NEXT MEETING:

Friday, February 15, 2008 in Room 101 at the DEQ Building. The work meeting will begin at 9:00 AM followed by a short Board meeting scheduled to begin at 1:00 p.m.

Joe Piccolo, Chairman
Utah Water Quality Board